

## In the Supreme Court of Iowa

CLERK SUPREME COURT

<b>Request for Public Comment on</b>	)	
<b>Proposed Iowa Rules of Electronic</b>	)	<b>Order</b>
<b>Filing—Chapter 16 of the Iowa</b>	)	
<b>Court Rules</b>	)	

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The Iowa Supreme Court seeks public comment on proposed amendments to the interim rules pertaining to the use of the electronic document management system (EDMS) in district courts. The Iowa Judicial Branch first released initial interim rules governing electronic filing in the State of Iowa on January 11, 2007, more than three years prior to beginning implementation of EDMS. Since that time, the rules have undergone periodic revisions to reflect testing and implementation processes developed throughout the state. The judicial branch completed statewide implementation of EDMS as of June 30 of this year, six months ahead of schedule. The final rules governing electronic filing in the State of Iowa will be contained in chapter 16 of the Iowa Court Rules.

Iowa Code section 602.1614 permits the Iowa Judicial Branch to promulgate rules for the acceptance, distribution, and retention of electronic court records. The EDMS Business Advisory Committee (BAC), established in August 2007, has provided guidance and oversight of statewide implementation of EDMS. The BAC convened regularly to assist with the transition from paper document filing to electronic document filing based on the interim rules the supreme court promulgated. The BAC held its last meeting on May 7, 2015.

Earlier this year, as statewide implementation of EDMS approached, a workgroup began preparing an updated and final version of the rules governing electronic filing. The workgroup, chaired by the Honorable Duane Hoffmeyer, Chief Judge of the Third Judicial District of Iowa, included representatives

from public and private sectors of the bar, clerks of district court, court administration, the appellate court clerk, and the bench. Technical and business advisors, and rules and subject matter experts, also contributed.

The charge to the workgroup was to review the interim electronic filing rules for accuracy, clarity, consistency, comprehensiveness, and practicality. The workgroup held its initial meeting March 26, 2015, and met at least monthly in person or by conference call until its last meeting November 6, 2015. During this time, a primary focus of the workgroup was to address unresolved rules-related issues the BAC and EDMS trainers in the field had identified and tracked during EDMS statewide implementation.

The workgroup completed an initial rewrite of the electronic filing rules in October and then sought feedback on the amended rules from specific clerk of court employees, county attorneys, private attorneys with specialized expertise, and several members of the Iowa Attorney General's staff. The workgroup incorporated many quality comments and suggestions from these sources into its final product. The proposed chapter 16 Iowa Rules of Electronic Filing represent a combination of the original interim rules that have been restyled, revised, replaced, renumbered, and in some instances removed.

Prior to further consideration of the proposed Iowa Rules of Electronic Filing, the supreme court seeks public comment on the rules. The proposed chapter 16 rules are provided with this order and may be found on the judicial branch website at: [www.iowacourts.gov/About\\_the\\_Courts/Supreme\\_Court/Orders/](http://www.iowacourts.gov/About_the_Courts/Supreme_Court/Orders/).

**Please note:** such comments must be limited to the content of the rules and the electronic filing procedures the rules set forth. For purposes of this order, the court will not consider comments directed to technical aspects or processes of the electronic document management system itself.

Any interested organization, agency, or person may submit comments regarding the proposed amendments. Comments about the proposed Iowa Rules of Electronic Filing must refer to the specific rule number (for example, Rule 16.305(1)) and the specific numbered line or lines to which the comments refer. Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state **"Iowa Rules of Electronic Filing"** in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

**The deadline for submitting comments is 4:30 p.m. on February 1, 2016.**

Dated this 1st day of December, 2015.

The Supreme Court of Iowa

By Mark S. Cady  
Mark S. Cady, Chief Justice